

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ANTONIO WILLIAMS,

Plaintiff,

V.

CASE NUMBER: 2:09-cv-2187-WMA

LAKESHORE RIDGE APARTMENTS, LLC, and
MDIC MANAGEMENT, LLC,

Defendants.

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Fed.R.Civ.P. 26(f), a meeting was held on December 22, 2009 and was attended by:

Edward I. Zwilling, counsel for Plaintiff.

Clifton E. Slaten, counsel for the Defendant.

2. Pre-Discovery Disclosures. The Parties will exchange the information required by Fed.R.Civ.P. 26(a)(1) by March 15, 2010.

3. Discovery Plan. Discovery will be required on the allegations made in Plaintiff's complaint and the defenses raised in Defendant's answer. The parties jointly propose to the court the following discovery plan:

- a. All discovery commenced in time to be completed by September 2, 2010;
- b. A total of 30 Interrogatories and 30 Requests for Production by the Plaintiff and by the Defendant to any other party.
- c. A total of 30 Requests for Admission by the Plaintiff and by the Defendant to any other party.

- d. The parties have agreed to limit depositions to a total of six (6) on behalf of either party except by agreement of the parties or for good cause.
 - e. Each deposition shall be limited to a maximum of 6 hours unless extended by agreement of parties.
 - f. Reports from retained experts under Rule 26(a)(2) due:
From Plaintiff by June 30, 2010.
From Defendant by July 28, 2010.
 - g. The parties agree to supplement discovery pursuant to Rule 26(e).
 - h. Electronic Discovery: The parties are not likely to be requested to disclose or produce information from electronic or computer-based media, but in the unlikely event this occurs, the parties agree that the disclosure or production will be limited to data reasonably available to the parties in the ordinary course of business, and that such information be provided in "hard copy"/paper form in accordance with the rules of civil procedure. Both parties will take reasonable measures to preserve potentially discoverable data from alteration or destruction in the ordinary course of business or otherwise, and neither party anticipates any problems in connection with electronic or computer-based discovery at this time.
4. Other items.
- a. The parties do not request a conference with the court before entry of

the Scheduling Order. To the extent the Court prefers to hold such a conference, the parties respectfully request that it be handled telephonically.

- b. The parties request a pre-trial conference in November 2010.
- c. Plaintiff should be allowed until March 26, 2010 to join additional parties and until March 26, 2010 to amend pleadings.
- d. Defendant should be allowed until June 14, 2010 to join additional parties and until June 14, 2010 to amend pleadings.
- e. All potentially dispositive motions should be filed by October 27, 2010.
- f. The parties met at the subject property on December 22, 2009 to discuss methods of resolving the underlying issues amicably and are confident that a resolution can be reached without substantial litigation. The parties will continue to negotiate in good faith in this regard.
- g. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due
From Plaintiff by thirty (30) days prior to trial.
From Defendant by twenty (20) days prior to trial.
- h. Parties should have 10 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

The case should be ready for trial by December 2010 and at this time is expected to take approximately two days.

Dated this ____ day of January 2010.

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